

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EDWIN BALL,

Plaintiff,

v.

ASBESTOS DEFENDANTS (B P),

Defendants.

No. C 09-4929 PJH

ORDER VACATING HEARING DATE

Defendant Curtiss-Wright Corporation's "state court demurrer," filed in the above-entitled action on November 4, 2009, is hereby STRICKEN. If, as it appears, it was defendant's intent to seek dismissal of the complaint for failure to state a claim, the motion was not filed in accordance with the Federal Rules of Civil Procedure or with this court's Civil Local Rules. The hearing date, noticed for December 9, 2009, is VACATED.

IT IS SO ORDERED.

Dated: November 4, 2009



PHYLLIS J. HAMILTON
United States District Judge